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JAN 28 2004

OFFICIAL

EXPEDITED PROCEDURE FOR AMENDMENT AFTER FINAL REJECTION (37 CFR §1.116)

FACSIMILE TRANSMISSION
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TO : EXAMINER REBECCA COOK
GROUP ART UNIT: 1614

COMPANY : COMMISSIONER FOR PATENTS AND
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FAX NO. : (703) 872-9307

FROM : ALBERT WAI-KIT CHAN

DOCKET : N. ROSEN, ET AL., A METHOD OF TREATING
CANCER, U.S. Serial No. 09/445,054, FILED MARCH
27, 2000; OUR DKT. #696-US

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET: 4

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Message

Applicants : N. Rosen et al.
Client : Memorial Sloan-Kettering (335) File No.: 696-US
Date : January 28, 2004

**COMMUNICATION MEMORIALIZING APPLICANTS' DECEMBER 29, 2003
REQUEST FOR CONTINUED EXAMINATION for N. ROSEN et al., for A
METHOD FOR TREATING CANCER, U.S. Serial No. 09/445,054, Filed March 27,
2000.**

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL UNDER THE CLIENT AND ATTORNEY RELATIONSHIP. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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**RESPONSE AFTER FINAL REJECTION
UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
Dkt. #696-US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : N. Rosen et al.

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U.S. Serial No.: 09/445,054

Examiner: R. Cook

JAN 28 2004

Filed : March 27, 2000

Group Art Unit: 1614

For : A METHOD OF TREATING CANCER

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

January 28, 2004

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**FACSIMILE CERTIFICATE
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION**

I hereby certify that this paper is being sent on the date indicated above and is addressed to Attn: Examiner Jerome Goldberg, Assistant Commissioner for Patents, Washington, D.C. 20231

Chih-Sheng Lin
Printed Name: Chih-Sheng Lin

Respectfully submitted,

Albert Wai-Kit Chan
Albert Wai-Kit Chan
Reg. No. 36,479
Attorney for Applicants
Law Offices of Albert
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U.S. Serial No. : 09/445,054 Examiner: R. Cook
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For : A METHOD OF TREATING CANCER

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

January 28, 2004

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

**COMMUNICATION MEMORIALIZING APPLICANTS' DECEMBER 29, 2003
REQUEST FOR CONTINUED EXAMINATION**

This Communication is submitted to memorialize Applicants' December 29, 2003 Request for Continued Examination.

On July 28, 2003, a Final Office Action was issued by the United States Patent and Trademark Office (USPTO). On December 29, 2003, Applicants made a Request for Continued Examination if the December 29, 2003 Proposed Amendment in Response to the July 28, 2003 Final Office Action does not place the above-identified application in condition for allowance. Since the six (6) month deadline for responding to the July 28, 2003 Final Office is January 28, 2004 and since Applicants have not received any response from the Examiner regarding the December 29, 2003 Proposed Amendment, Applicants hereby request that the Examiner treat this Communication and the December 29, 2003 communication as a Request for Continued Examination with extension of time if necessary. The required fee for the Request for Continued Examination is THREE HUNDRED AND EIGHTY-FIVE DOLLARS (\$385.00). Applicants hereby

* Applicants : N. Rosen et al.
U.S. Serial No. : 09/445,054
Filing Date : March 27, 2000
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authorize the Commissioner to charge THREE HUNDRED AND EIGHTY-FIVE DOLLARS (\$385.00) to Deposit Account No. 50-1891 to cover the fee for the Request for Continued Examination.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants undersigned Attorney invites the Examiner to telephone him at the number provided below.

No fee other than the THREE HUNDRED AND EIGHTY-FIVE DOLLARS (\$385.00) for the Request for Continued Examination is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

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